



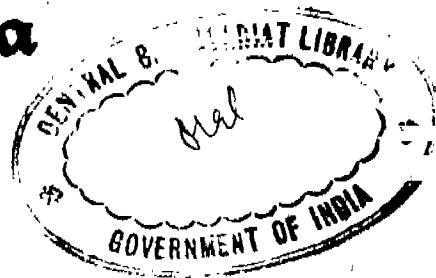
आरत का राजपत्र

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

RAJYA SABHA

The following Bill was introduced on the 2nd June, 1995

BILL No. XXXIV OF 1995

A Bill to further to amend the University Grants Commission Act, 1956.

Be it enacted by Parliament in the Forty-sixth Year of the Republic of India as follows:—

1. This Act may be called the University Grants Commission (Amendment) Act, 1995.
2. For section 24 of the University Grants Commission Act, 1956, the following section shall be substituted, namely:—

Short title

Amendment of
section 24 of
Act 3 of 1956
Penalties.

“24. Whoever contravenes the provisions of section 22 or section 23 shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to three years and shall also be liable to fine which shall not be less than one lakh rupees but which may extend to ten lakh rupees, and if the person contravening is an association or other body of individuals, every member of such association or other body who knowingly or wilfully authorizes or permits the contravention shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to three years and shall also be liable to fine which shall not be less than one lakh rupees but which may extend to ten lakh rupees:

Provided that the Court may, for any adequate and special reasons to be recorded in the judgement, impose a sentence of imprisonment for a term of less than six months and of fine of less than one lakh rupees.”.

STATEMENT OF OBJECTS AND REASONS

The problem of fake universities awarding unrecognised degrees has been engaging the attention of University Grants Commission and Government for the past few years. A fake university is an institution which is not entitled to call itself a university or award degrees. According to the provisions of the University Grants Commission Act, 1956, only those universities which are established under an Act of Parliament or a State Legislature, or are granted deemed to be university status, are entitled to call themselves a "University" and confer degrees. Thus, any university which has not been created under an Act of Parliament or of a State Legislature or has not been granted the status of a deemed university under section 3 of the University Grants Commission Act cannot call itself a university or award a degree. The penalty for violation of the above provision at present is a maximum of Rs 1,000/- under section 24 of the University Grants Commission Act.

2. Since the penalty for running "fake" universities and awarding degrees is nominal, a large number of such institutions have been operating in the country and duping students. The Committee of Petitions of 8th Lok Sabha had examined the question of fake universities and made the following recommendations in its report in 1989—

(i) amendment to the University Grants Commission Act so that there is a self-working system aimed at checking the activities of institutions/organisations which tend to exploit while resorting to illegal means; and

(ii) enhancement of the penalty provision in the Act as also for making a provision for imprisonment.

3. Pursuant to the recommendations of the Committee of Petitions, University Grants Commission had appointed a Committee to examine the question of enhanced penal action against fake institutions. The said Committee appointed by the University Grants Commission has recommended that section 24 of the University Grants Commission Act may be amended so as to provide for minimum punishment of imprisonment of not less than six months but which may extend to three years and a fine of not less than one lakh rupees but which may extend to ten lakh rupees and further to provide that the Court may award lesser punishment for reasons to be recorded in writing.

4. The Bill seeks to achieve the above object.

MADHAVRAO SCINDIA.

V. S. RAMA DEVI,
Secretary-General.